

**DECLARATION OF CARA WAYMIRE**

Pursuant to 28 U.S.C. § 1746, Cara Waymire declares as follows:

1. I am currently a Manager, Benefits, of Sandia Corporation ("Sandia"). I am giving this declaration in connection with the lawsuit captioned *Mark S. Ludwig v. Sandia Corporation aka Sandia National Laboratories, Pam McKeever, and Pat Smith*.

2. In connection with my position at Sandia Corporation, I am familiar with the health benefits plans provided to current and former employees of Sandia and their beneficiaries.

3. Since January 1, 2011, Mark S. Ludwig has been enrolled in a health benefits plan called "Sandia Total Health" as a beneficiary of his spouse, who is a Sandia employee. Sandia Total Health is governed by the Employee Retirement Security Income Act ("ERISA"). The ERISA "Rights" provisions of the Summary Plan Description for the Sandia Total Health Plan (2012) are attached to this Declaration as Exhibit B-1.

4. When Mark S. Ludwig took long-term disability and separated from Sandia in April of 2014, he remained a beneficiary of his spouse's Sandia Total Health coverage, and he is currently a beneficiary of his spouse's Sandia Total Health coverage.

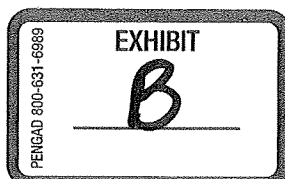
5. Both during Mark S. Ludwig's employment at Sandia and during his long-term disability after separating from Sandia, Mr. Ludwig has been a participant and beneficiary of ERISA-governed health benefits plans.

I declare under penalty of perjury that the foregoing is true and correct. Executed on July 2, 2014, in the United States of America.

Cara Waymire

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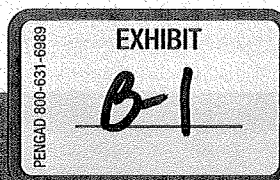


# Sandia Health Benefits Plan

FOR EMPLOYEES

Summary Plan Description

Revised: January 1, 2012





## Administrative Information

*Prudent Actions by Plan Fiduciaries*

In addition to creating rights for plan participants, ERISA imposes duties upon the people who are responsible for the operation of the employee benefit plan. The people who operate your plan, called “fiduciaries” of the plan, have a duty to do so prudently and in the interest of you and other plan participants and beneficiaries. No one, including your employer, your union, or any other person, may fire you or otherwise discriminate against you in any way to prevent you from obtaining a welfare benefit or exercising your rights under ERISA.

*Enforce Your Rights*

If your claim for a welfare benefit is denied or ignored, in whole or in part, you have a right to know why this was done, to obtain copies of documents relating to the decision without charge, and to appeal any denial, all within certain time schedules.

Under ERISA, there are steps you can take to enforce the above rights. For instance, if you request a copy of documents governing the plan or the latest annual report from the plan and do not receive them within 30 days, you may file suit in a federal court. In such a case, the court may require the plan administrator to provide the materials and pay you up to \$110 a day until you receive the materials, unless the materials were not sent because of reasons beyond the control of the administrator.

If you have a claim for benefits which is denied or ignored, in whole or in part, you may file suit in a state or federal court, after exhausting the plan’s claims and appeals procedures. In addition, if you disagree with the plan’s decision or lack thereof concerning the qualified status of a domestic relations order or a medical child support order, you may file suit in a federal court, after exhausting the plan’s claims and appeals procedures.

If it should happen that plan fiduciaries misuse the plan’s money, or if you are discriminated against for asserting your rights, you may seek assistance from the U. S. Department of Labor, or you may file suit in a federal court. The court will decide who should pay court costs and legal fees. If you are successful the court may order the person you have sued to pay these costs and fees. If you lose, the court may order you to pay these costs and fees, for example, if it finds your claim frivolous.

*Assistance with Your Questions*

If you have any questions about your plan, you should contact the Plan Administrator listed in this document. (See “Other Plan Details” on page 96 for details.)

## Administrative Information

If you have any questions about this statement or about your rights under ERISA, or if you need assistance in obtaining documents from the Plan Administrator, you should contact the nearest office of the Employee Benefits Security Administration, U. S. Department of Labor, listed in your telephone directory or the Division of Technical Assistance and Inquiries, Employee Benefits Security Administration, U. S. Department of Labor, 200 Constitution Avenue N.W., Washington, D.C. 20210. You may also obtain certain publications about your rights and responsibilities under ERISA by calling the publications hotline of the Employee Benefits Security Administration.

## Required Notices

Sandia is required by law to provide its employees with the following health plan notices:

- “Newborns’ and Mothers’ Health Protection Act” on page 92
- “Women’s Health and Cancer Rights Act” on page 93
- Children’s Health Insurance Program (CHIP) Notice
- “HIPAA Special Enrollment Period” on page 93
- Sandia National Laboratories’ Notice of HIPAA Privacy Practices
- Medicare Part D Notice of Creditable Coverage

### *Newborns’ and Mothers’ Health Protection Act*

Federal law protects the benefit rights of mothers and newborns related to hospital stays in connection with childbirth. In general, group health plans and health insurance issuers may not:

- Restrict benefits for the length of hospital stay for the mother or newborn child to less than 48 hours following a vaginal delivery, or less than 96 hours following a cesarean section. However, federal law generally does allow the mother’s or newborn’s attending physician, after consulting with the mother, to discharge the mother or her newborn earlier than 48 hours (or 96 hours as applicable)
- Require that a physician obtain authorization from the plan or the insurance issuer for prescribing a length of stay of up to 48 hours following a vaginal delivery (or 96 hours following a cesarean section).